From Foreign Targets to Domestic Threats: How Extrajudicial Killing Abroad Erodes Civil Liberties at Home

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January 24, 2026

In the post-9/11 era, the normalization of extrajudicial killings—particularly through drone strikes and covert operations—has transformed global norms around sovereignty, due process, and state violence. Though these actions are often framed as necessities in the fight against terrorism, they raise urgent questions about long-term consequences, not only for foreign populations but for citizens of the very democracies authorizing them. This paper explores a disturbing trajectory: the migration of normalized state violence from foreign theaters to domestic contexts. Drawing on historical precedents, political theory, and contemporary examples, we argue that when governments abandon legal constraints abroad, they gradually weaken the barriers protecting their own populations from similar abuses. The "imperial boomerang" effect, as articulated by thinkers such as Aimé Césaire and Hannah Arendt, suggests that the tools of empire inevitably find their way back home. In the U.S., this trajectory is increasingly visible in legal justifications for targeted killings of citizens overseas, surveillance regimes, and expanding definitions of threat. By examining both theory and precedent, this paper sounds a clear warning: the erosion of rights at the periphery often foretells their collapse at the center. A democracy cannot permanently externalize its violence without turning inward.

Keywords: extrajudicial killing, targeted assassination, imperial boomerang, drone strikes, civil liberties, due process, national security, Hannah Arendt, Aimé Césaire, American citizens, state violence, authoritarian drift, foreign policy, domestic repression.

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1. Introduction

1.1 The Normalization of Extrajudicial Killings After 9/11

The attacks of September 11, 2001, catalyzed a profound shift in U.S. foreign and domestic security policies. What began as a targeted counterterrorism response rapidly evolved into a sprawling global infrastructure of surveillance, rendition, and lethal force—often conducted beyond traditional battlefields and outside declared war zones. Among the most controversial developments was the emergence of a formalized program of extrajudicial killings, particularly via drone strikes. Initially framed as tactical necessities for combating elusive non-state actors in regions like Pakistan, Yemen, and Somalia, these killings soon became systematized into policy under successive administrations.

The rhetoric of preemption and the framing of terrorism as an omnipresent, borderless threat eroded previous legal distinctions between combatants and civilians, war zones and sovereign nations. Targeted killings, once exceptional, became routine. These operations were carried out with minimal judicial oversight and often under conditions of radical secrecy, with only post hoc disclosures—if any—available to the public. As legal rationales expanded to include "imminent threat" doctrines and ambiguous categories like "associated forces," a paradigm shift occurred: assassination became an accepted instrument of U.S. statecraft, signaling a dangerous normalization of unaccountable state violence.

1.2 The Core Thesis: Foreign Violence Returns Home

This paper argues that such normalization has consequences not only for international law and human rights but also for the integrity of domestic civil liberties. Specifically, we trace how the extrajudicial methods sanctioned abroad under national security justifications create precedents and institutional habits that migrate inward. What is done in secrecy to foreign nationals eventually sets the tone and structure for how a government relates to its own citizens—especially those who fall outside dominant political, racial, or ideological norms.

This is not a hypothetical concern. History and theory alike warn of the "imperial boomerang," wherein techniques of control honed on the periphery are repurposed within the metropole. From surveillance and indefinite detention to militarized policing and lethal force, the erosion of protections for the "other" abroad weakens the very idea of protected status for citizens at home. The expansion of executive power in matters of life and death—without transparent process or judicial review—marks a constitutional shift. This paper contends that democratic legitimacy cannot survive such drift unchallenged.

1.3 Methodological Approach: Theory, History, and Policy

Our approach integrates political theory, historical precedent, and contemporary policy analysis. First, we draw on foundational thinkers like Aimé Césaire and Hannah Arendt to illuminate the

philosophical and structural mechanisms by which imperial violence rebounds onto domestic populations. These thinkers offer not merely analogies but explicit claims about the causal pathways between foreign brutality and domestic repression.

Second, we survey historical episodes—from colonial practices to Cold War covert programs—to demonstrate how exceptional powers abroad tend to reshape norms and institutions at home. Theoretical warnings are grounded in concrete examples: colonial policing precedents, CIA assassination programs, and the evolving U.S. doctrine of targeted killing provide the backbone of this analysis.

Third, we examine legal memos, executive orders, court cases, and civil liberties critiques from the post-9/11 era to the present. Particular attention is paid to cases like that of Anwar al-Awlaki, a U.S. citizen killed by drone strike without trial, as well as the ongoing expansion of surveillance and predictive policing. These data points are used not to sensationalize, but to map a credible continuum between foreign policy frameworks and domestic governance models.

This synthesis of theory, history, and policy is offered as both diagnosis and warning. The line between citizen and non-citizen, between battlefield and homeland, is blurring—and with it, the foundations of due process and democratic restraint.

2. Defining Extrajudicial Killing in Modern Policy

2.1 Legal Versus Extralegal Frameworks for Lethal Force

Extrajudicial killing refers to the deliberate, targeted killing of individuals by a government without the benefit of a formal judicial process. While this practice is nominally prohibited under both domestic and international law, governments often craft legal frameworks that seek to justify specific acts of targeted killing as exceptions. These frameworks are not necessarily unlawful in the technical sense, but they stretch or reinterpret law in ways that erode its original protective function.

In the United States, this distinction became particularly important after 9/11. Rather than admit to acting outside the law, executive lawyers developed legal rationales—often in classified memos—that reframed certain killings as lawful under Article II war powers, the Authorization for Use of Military Force (AUMF), or international self-defense doctrines. These interpretations blurred the line between *legal* and *extralegal*, offering retroactive justification for targeted killings without indictment, trial, or appeal.

Importantly, this legal elasticity is not just semantic. It enables the state to kill individuals, including its own citizens, without meeting the traditional thresholds of due process or

imminent threat as previously understood. The procedural safeguards designed to prevent abuse are either circumvented entirely or moved into secret processes where adversarial review is absent.

2.2 The Shift from Battlefield to "Gray Zone"

The traditional laws of armed conflict presume a clear distinction between wartime and peacetime, between battlefield and civilian space. However, the war on terror introduced a novel geography of conflict—one without frontlines, geographic boundaries, or temporal limits. This shift gave rise to what many analysts call the "gray zone": a strategic and legal space in which the norms of war are selectively applied to justify actions outside conventional combat theaters.

In this gray zone, a village in Yemen, a street in Pakistan, or a compound in Libya may all be treated as legitimate "battlefield" targets, even in the absence of declared war. The implication is profound: if the battlefield is everywhere, then so too is the government's perceived right to kill. The global battlefield logic renders entire categories of individuals—"high-value targets," "militant facilitators," or even ideological sympathizers—vulnerable to state violence without trial.

This spatial and definitional ambiguity has allowed policymakers to classify lethal operations as defensive and necessary, even when carried out in countries with which the U.S. is not at war. It also makes oversight and accountability nearly impossible, as the standards for targeting shift depending on internal executive assessments rather than public, legal criteria.

2.3 The Role of Secrecy and Executive Authority

A central feature of modern extrajudicial killing programs is their dependence on secrecy. Decisions to target individuals are often made within classified settings, using intelligence that is shielded from public scrutiny and judicial review. The legal memos that authorize such killings—such as the infamous Justice Department white papers—are often themselves classified or heavily redacted, preventing meaningful debate or challenge.

Secrecy does not merely protect operational details; it creates a governance structure in which the executive branch becomes the sole arbiter of who may live or die. This accumulation of lethal authority within the executive reflects a broader trend toward the expansion of presidential power, particularly in matters framed as national security. It also undermines the separation of powers that is foundational to democratic governance.

Moreover, secrecy transforms the nature of citizenship. If the state can unilaterally determine that even its own citizens are legitimate targets based on undisclosed criteria, the legal meaning of citizenship becomes conditional and fragile. The case of Anwar al-Awlaki, an American citizen killed by drone in Yemen without trial, marked a watershed moment: the explicit erasure of

judicial process under the banner of security. This episode illustrates how secrecy, when coupled with executive power, can displace constitutional guarantees in their entirety.

These elements—legal contortion, spatial ambiguity, and executive secrecy—together define the modern architecture of extrajudicial killing. They form a policy regime whose implications extend far beyond foreign targets, threatening the internal norms and structures of liberal democracy itself.

3. The Imperial Boomerang: From Colonial Violence to Domestic Control

3.1 Aimé Césaire and the Return of Colonial Methods

One of the clearest articulations of how externalized violence rebounds inward comes from Aimé Césaire's analysis of colonialism. Writing in the aftermath of European imperial collapse, Césaire argued that colonial violence was never confined to distant territories; it functioned as a moral and institutional rehearsal. Methods of domination, dehumanization, and unrestrained force developed against colonized peoples eventually reshaped the political character of the colonizing state itself. What shocked Europeans about fascism, Césaire observed, was not its brutality, but the fact that techniques long used overseas were now being applied to Europeans.

This insight is crucial for understanding modern extrajudicial killing. Colonial governance relied on exceptional measures: collective punishment, summary executions, surveillance without warrants, and rule by decree. These were justified by portraying colonized populations as inherently dangerous, irrational, or outside the moral community. Once such justifications are accepted, violence becomes administratively routine rather than morally exceptional.

In contemporary national security policy, the same logic reappears under new language. "Unlawful combatants," "terrorist facilitators," and "associated forces" occupy a role analogous to colonial subjects: individuals placed outside normal legal protections by executive classification. Césaire's warning is not merely historical; it is structural. A society that normalizes killing without trial abroad trains its institutions to treat law as optional when confronting perceived threats. Over time, this erodes the distinction between external enemies and internal dissenters, making the return of such methods not an aberration, but an inevitability.

3.2 Hannah Arendt on Totalitarian Drift

Hannah Arendt extended this analysis by examining how imperial practices destabilize constitutional systems from within. In her account, imperialism created a legal vacuum in which power operated without restraint, untethered from citizenship, law, or accountability. This vacuum did not remain at the empire's edges; it migrated inward, corroding the rule of law at the core.

Arendt emphasized that the most dangerous feature of imperial governance was not cruelty per se, but arbitrariness. When decisions about life, death, and freedom are made administratively rather than judicially, law becomes an instrument of power rather than a constraint upon it. This condition, she argued, laid the groundwork for totalitarianism by normalizing rule through exception.

Applied to modern targeted killing programs, Arendt's analysis highlights the risk of institutional drift. When executives claim unilateral authority to determine who constitutes a threat and to act lethally on that determination, they establish a governance model that bypasses democratic safeguards. The absence of transparent standards and adversarial review mirrors the legal emptiness Arendt identified in imperial systems. Crucially, once such authority is accepted in one domain, it becomes transferable.

Arendt's warning is especially relevant to democracies that view themselves as immune to authoritarian outcomes. She rejected the idea that liberal institutions alone provide protection. Instead, she emphasized that habits of governance matter. A state accustomed to acting without law abroad will eventually find reasons to do so at home, particularly in moments of crisis, fear, or political polarization.

3.3 Policing and Militarization in Post-Imperial Democracies

The imperial boomerang is not limited to targeted killing; it is visible across the broader landscape of domestic security. Post-imperial democracies have repeatedly absorbed military techniques, technologies, and mentalities developed for foreign control into domestic policing. Surveillance methods first used against colonial populations reappear in urban neighborhoods. Military equipment flows from overseas battlefields into local police departments. Tactical doctrines designed for counterinsurgency become tools for crowd control and protest suppression.

This militarization reflects more than equipment transfer; it reflects a conceptual shift in how the state views its own population. Citizens are increasingly framed as potential threats rather than rights-bearing participants. Risk-based policing, predictive threat models, and expansive surveillance programs all echo the logic of imperial management: control first, justification later.

Extrajudicial killing represents the most extreme expression of this trajectory. While most democracies stop short of openly targeting citizens domestically, the normalization of lethal force without trial abroad lowers the conceptual barrier. If legality is defined by executive designation rather than judicial process, then citizenship ceases to be a meaningful shield. The same logic that once governed colonial subjects—exception, suspicion, and administrative violence—reemerges within the homeland.

The imperial boomerang, then, is not metaphorical. It describes a recurring pattern by which violence justified as external necessity reshapes internal governance. Extrajudicial killing abroad is not an isolated policy choice; it is part of a larger transformation in how states relate to law, power, and the lives of those they govern.

4. The U.S. Case: From CIA Operations to Citizens on Kill Lists

4.1 Operation Phoenix to Drone Warfare

The roots of America's extrajudicial killing apparatus can be traced to Cold War covert operations, particularly during the Vietnam War. Operation Phoenix, launched by the CIA in the late 1960s, was a counterinsurgency program aimed at neutralizing the Viet Cong infrastructure through infiltration, capture, and assassination. While the program was officially intended to "disrupt and dismantle," in practice it became synonymous with extralegal executions, torture, and the targeting of suspected sympathizers rather than confirmed combatants. This precedent established the notion that assassination could be operationalized as a tool of statecraft—sanctioned in secret, justified by vague metrics, and carried out without judicial oversight.

The post-9/11 drone program represents the technological and bureaucratic maturation of that logic. What was once done through covert operations with limited reach is now implemented through a global network of intelligence feeds, remote control centers, and algorithmic targeting. Drones are not merely weapons; they are platforms for policy. Their use signals a government's willingness to kill based on pattern recognition, intercepted communication, or proximity to suspected militants—without trial, without borders, and often without public acknowledgment. The continuity between Operation Phoenix and modern drone warfare lies not only in methods, but in mindset: executive power, freed from public constraint, expanding its reach into zones of ambiguous legality.

4.2 Legal Redefinitions: Imminence, Enemy Combatants, and "Associated Forces"

In order to accommodate a growing list of lethal operations, the U.S. government has repeatedly expanded its definitions of lawful targeting. Key among these is the redefinition of "imminent threat." Traditionally, an imminent threat required clear evidence of an impending attack. However, post-9/11 legal interpretations, particularly within the Department of Justice and the Office of Legal Counsel, broadened this definition to include individuals who might pose a threat in the future, based on behavior, affiliations, or even ideology. This shift transformed preemptive self-defense from an emergency exception into a standard operational doctrine.

Parallel to this was the use of the "enemy combatant" designation. Unlike traditional soldiers, enemy combatants were defined not by uniform or national allegiance, but by perceived participation in or support for terrorist activities. This amorphous label stripped individuals of

Geneva Convention protections and rendered them killable under war powers, even when captured or located far from active conflict zones.

Perhaps most elastic of all is the term “associated forces.” Originally included to address non-state actors that collaborated with al-Qaeda, the phrase has since been used to justify targeting individuals in disparate organizations and regions, based on intelligence that often remains classified. These redefinitions have effectively created a legal framework in which vast swaths of the world are conceptualized as kill zones and vast numbers of individuals, including citizens, are placed outside the shield of due process.

4.3 The Anwar al-Awlaki Case: Killing a U.S. Citizen Without Trial

The 2011 killing of Anwar al-Awlaki marked a turning point in the U.S. government’s willingness to target its own citizens without trial. Al-Awlaki, an American-born cleric and propagandist associated with al-Qaeda in the Arabian Peninsula, was killed by a drone strike in Yemen—outside any declared battlefield and without any formal charge or indictment. The operation was approved by a secret legal process within the executive branch, with no adversarial hearing, judicial warrant, or opportunity for defense.

What makes this case uniquely consequential is not the subject’s guilt or innocence, but the principle it established: that U.S. citizenship offers no absolute protection from executive-directed lethal force. Despite constitutional guarantees of due process and equal protection, the administration argued that al-Awlaki’s operational role in terrorism made him a lawful target and that conventional due process was “not feasible” in wartime conditions. Yet the war in question had no clear boundaries, no declared enemy state, and no geographic limitation.

The implications are stark. If the state can kill its own citizens in secret, based on intelligence it never has to reveal, the core distinction between democracy and authoritarianism begins to dissolve. Al-Awlaki’s killing was not an aberration—it was a precedent, one that has yet to be legally overturned or meaningfully constrained.

4.4 Slippery Slope: From Foreign to Domestic Surveillance and Force

Extrajudicial killing does not exist in isolation; it is embedded in a broader ecosystem of state power that includes surveillance, data aggregation, and policing. The same logic that undergirds drone strikes abroad—the identification of threats through predictive models and intelligence analysis—has increasingly shaped domestic law enforcement. Programs developed for battlefield intelligence have migrated home in the form of fusion centers, real-time facial recognition, social media monitoring, and risk-based policing.

As foreign and domestic security infrastructures converge, the distinction between external enemy and internal dissenter becomes increasingly blurry. Protesters, journalists, and political opponents have all been swept into surveillance regimes originally justified for

counterterrorism. In some cases, law enforcement agencies have collaborated with military intelligence or national security contractors to track individuals engaged in constitutionally protected activity.

The deeper risk lies in the normalization of suspicion as a basis for preemptive action. If a government becomes accustomed to acting lethally based on anticipated threats abroad, it may grow more willing to use lesser but still coercive measures—detention, intimidation, or force—against its own population under similar rationales. What begins with metadata and drone strikes ends with domestic militarized policing and targeted repression. The slope is not slippery because of abstract paranoia, but because the institutions involved are already primed to act without meaningful resistance or public constraint.

The U.S. case illustrates a trajectory from targeted killing as foreign policy to the erosion of legal restraint at home. The mechanisms may differ—lethal versus nonlethal, covert versus overt—but the underlying principle is the same: security over law, discretion over rights, and power over accountability. The precedent has been set. The question is how far it will be allowed to run.

5. Political and Philosophical Warnings

5.1 Glenn Greenwald, ACLU, and Civil Liberties Advocates

One of the earliest and most vocal warnings against the U.S. government's extrajudicial killing program came from investigative journalist Glenn Greenwald, who consistently framed it as a radical departure from constitutional protections. Greenwald emphasized that due process, a foundational legal right, cannot be selectively suspended at the will of the executive branch—even in the name of national security. His commentary was especially sharp in the aftermath of the killing of U.S. citizen Anwar al-Awlaki, which he argued set a precedent for unchecked state power to execute its own citizens without charge, trial, or judicial review.

The American Civil Liberties Union (ACLU) has similarly maintained that the U.S. drone program, particularly when targeting citizens, constitutes an unconstitutional violation of the Fifth and Fourteenth Amendments. The organization pursued multiple lawsuits demanding transparency regarding the legal justifications used to authorize such strikes. The ACLU's core argument is not only that due process was denied to individuals like al-Awlaki, but that the public is denied its democratic right to evaluate the constitutionality of secret state actions.

Civil liberties advocates across the political spectrum have raised concerns about the dangerous precedent being set. If the government can kill without judicial process based solely on internal intelligence assessments, the checks and balances meant to constrain executive overreach

become hollow. These advocates warn that, in the absence of legal limits and public accountability, extraordinary powers will inevitably be used in increasingly ordinary ways.

5.2 Congressional Concerns: The Rand Paul Filibuster

A notable moment of institutional resistance to extrajudicial killing occurred in 2013, when Senator Rand Paul conducted a nearly 13-hour filibuster on the Senate floor. The filibuster was sparked by concerns that the Obama administration had not clearly ruled out the possibility of using drone strikes on U.S. soil against American citizens. Paul's demand was simple yet profound: a public affirmation that the executive branch would not unilaterally execute citizens on American soil without due process.

Although the administration ultimately responded with a narrow assurance, the episode underscored the ambiguous and expansive logic underpinning targeted killing policy. Paul's filibuster articulated a fundamental anxiety: once the executive branch establishes that it may kill citizens abroad without trial, there may be no clear legal or institutional barrier preventing such actions at home, especially during a national emergency or political crisis.

The broader congressional response, however, was largely muted. Most lawmakers either avoided the issue or endorsed the drone program as a necessary tool in the war on terror. This silence was itself telling. The normalization of extrajudicial killing had advanced to the point where serious legislative scrutiny was an exception, not the norm. Paul's speech functioned less as a challenge to power than as a historical record of dissent—an appeal to principles increasingly eclipsed by the pragmatics of security doctrine.

5.3 The Ethics of Preemptive Punishment and Presumed Guilt

At the core of the extrajudicial killing debate lies a philosophical question with deep ethical implications: can the state justly kill a person based on what they might do, rather than what they have done? The post-9/11 era has seen a shift from reactive justice to preemptive punishment, where suspicion and risk calculations often serve as proxies for evidence and guilt.

This shift violates not only legal norms, but moral ones. Traditional just war theory, constitutional law, and human rights doctrines all hinge on a concept of proportionality and the presumption of innocence. Preemptive killing inverts this framework by treating individuals as guilty until proven otherwise—or, more accurately, denying them the chance to be proven innocent at all. The process becomes unilateral: intelligence agencies determine threat levels, legal advisors provide cover, and drones deliver the verdict.

From a deontological perspective, such acts constitute a grave moral overreach, denying individuals their dignity as legal subjects. From a consequentialist standpoint, they risk perpetual war and the loss of public trust in democratic institutions. When states kill based on

predictive models, they not only abandon legal restraint but also embrace a worldview in which fear and suspicion justify extraordinary violence.

These ethical failures are not abstract. They influence real decisions about who lives and who dies. They also erode the legitimacy of liberal democratic governance by placing lethal power beyond contestation. If guilt can be algorithmically inferred, if justice can be bypassed in the name of efficiency, then the foundations of democratic morality begin to crumble under the weight of expediency. The warning is clear: a state that claims the power to kill without trial abandons not only its legal commitments, but its moral compass.

6. Domestic Drift: Militarized Policing and Internal Targeting

6.1 Surveillance Migration: From al-Qaeda to Black Lives Matter

One of the most visible manifestations of the inward drift of counterterrorism tactics has been the migration of surveillance technologies and frameworks from foreign battlefields to American cities. Initially developed to monitor al-Qaeda and other transnational threats, tools such as geolocation tracking, metadata collection, facial recognition, and social network mapping have been increasingly deployed against domestic protest movements and politically active groups.

This migration was especially evident during the nationwide Black Lives Matter protests following the killing of George Floyd. Multiple reports confirmed that federal agencies—including the Department of Homeland Security, FBI, and local law enforcement fusion centers—used aerial surveillance, open-source intelligence scraping, and live video feeds to monitor demonstrations. In some cases, protesters were identified, tracked, and targeted based on social media posts or associations, mirroring the “pattern-of-life” tracking techniques originally developed for drone targeting.

This shift represents a transformation in how dissent is perceived. Where once such technologies were reserved for high-priority national security targets overseas, they are now routinely applied to Americans exercising constitutionally protected rights. The justification has shifted from imminent terrorist threat to potential public disorder—an elastic concept that, like "associated forces," can be stretched to fit almost any narrative of suspicion. The tools of war have become instruments of domestic order, and the boundaries between citizen and combatant have begun to blur.

6.2 Homeland Exceptionalism Erodes: Battlefield Logic in Cities

The notion that the homeland is legally and morally distinct from the battlefield has long underpinned American democratic identity. However, as warfare itself becomes decentralized, borderless, and irregular, that distinction has eroded. Practices and paradigms once justified

only in combat zones are now standard fare in domestic policing. This shift is not only technological—it is epistemological. It reflects a deeper transformation in how the state perceives risk, authority, and legitimacy.

The post-9/11 concept of the "global battlefield" has effectively dissolved the spatial boundaries of war. This conceptual flattening has allowed military-grade equipment and tactics to proliferate in domestic contexts. The Department of Defense's 1033 Program, for example, has transferred thousands of pieces of surplus military equipment—including armored vehicles, assault rifles, and battlefield gear—to local police departments. The logic is straightforward: if threats are unpredictable and ubiquitous, then all terrain must be treated as potentially hostile.

This mindset was evident in the police response to protests in Ferguson, Missouri, where officers deployed armored vehicles, sniper scopes, and tear gas against largely unarmed civilians. The visual and tactical resemblance to military occupation was not incidental—it was the logical consequence of a security framework that no longer differentiates between foreign insurgency and domestic unrest. As battlefield logic enters city streets, the foundational assumptions of democratic policing—proportionality, restraint, community accountability—are subordinated to a doctrine of dominance and preemption.

6.3 Algorithmic Threat Profiling and Extrajudicial Risk Scoring

Beyond hardware and physical tactics, the domestic drift of counterterrorism has introduced a new informational weapon: algorithmic threat profiling. Initially used in foreign theaters to identify high-value targets for drone strikes, these systems aggregate vast amounts of data—from cell phone metadata to social media behavior—to generate risk scores for individuals. While pitched as tools of efficiency and objectivity, such systems often operate as opaque mechanisms of judgment, producing actionable intelligence without meaningful avenues for contestation or redress.

Domestically, similar approaches have taken root in predictive policing programs, fusion centers, and even school safety monitoring systems. Individuals may be placed on watchlists, no-fly lists, or gang databases based on vague indicators or statistical correlations. These designations can lead to enhanced surveillance, detainment, or denial of services—forms of administrative punishment that function outside traditional judicial processes.

The danger lies in the preemptive logic embedded in these systems. When algorithms forecast risk based on past associations or inferred intent, they effectively encode the doctrine of "precrime." Individuals become suspects not because of what they have done, but because of who they know, where they live, or what they might do. This mirrors the "signature strike" approach abroad, where drone targets were selected based on behavioral patterns rather than confirmed identities.

The philosophical implication is profound: the human subject is reduced to a probabilistic entity, and the moral weight of intent, context, and individuality is displaced by statistical abstraction. As these systems guide resource allocation, policing priorities, and even lethal force decisions, they usher in a quiet shift toward governance by algorithm—where accountability is diluted, and error can be deadly.

The convergence of surveillance, militarization, and predictive profiling within U.S. borders reflects more than a tactical evolution. It signals the steady importation of a foreign policy model that prioritizes threat elimination over rights protection, and preemption over due process. In doing so, it marks the emergence of a domestic security state whose logics are increasingly indistinguishable from those of the global war on terror.

7. Precedent as Permission: How Foreign Policy Sets the Template

7.1 From Foreign Exceptions to Domestic Norms

Foreign policy has long operated as a crucible for exceptional measures—practices justified by the urgency of distant crises, the ambiguity of asymmetric threats, or the presumed moral high ground of national interest. But what begins as an exception abroad often mutates into a new normal at home. The very act of rationalizing extrajudicial killing, indefinite detention, and warrantless surveillance in foreign contexts rewires institutional logics and public expectations. What was once unthinkable becomes merely unusual. What was once unusual becomes routine.

This transposition is not merely rhetorical. Legal and procedural innovations born in the War on Terror—such as secret kill lists, indefinite detention without charge, and the use of classified evidence immune to adversarial challenge—have slowly infiltrated the domestic security landscape. Programs originally aimed at countering foreign insurgents are now embedded in homeland operations: predictive policing, biometric tracking, social media monitoring, and preemptive incarceration all bear the imprint of these foreign precedents. In this sense, the battlefield doesn't come home by accident—it is deliberately extended inward through precedent-setting practices that reframe violence, suspicion, and legality as transferable instruments of governance.

7.2 Institutional Drift and Loss of Public Recourse

Once these precedents are domesticated, a deeper problem emerges: institutional drift. Bureaucracies that were built to defend rights and uphold accountability begin to accommodate or rationalize unchecked executive power. Oversight bodies become complicit through silence or structural incapacitation. Courts narrow the scope of their intervention, citing doctrines like the

“political question” or “state secrets privilege.” Legislatures either abdicate responsibility or pass laws that codify executive overreach under the banner of national security.

This drift undermines not only legal protection but the very idea of public recourse. Citizens who are placed on no-fly lists, gang databases, or watchlists often have no clear path to challenge the decision. The evidentiary standards are opaque, the processes are secretive, and the burden of proof is inverted. Even when wrongful targeting occurs, remedies are rare and often inaccessible. This erosion of due process parallels the foreign model, where accountability for drone strikes, civilian casualties, or mistaken identity is nearly nonexistent.

What’s more, the culture of secrecy cultivated abroad—justified in terms of operational necessity—begins to define domestic policy as well. Transparency becomes a liability rather than a democratic value. Whistleblowers are prosecuted, oversight reports are redacted, and public debate is foreclosed. As institutions shift their internal equilibrium to align with national security prerogatives, the public finds itself increasingly excluded from the mechanisms of justice that were once presumed to be its birthright.

7.3 Media Framing and Manufactured Consent

This institutional drift would not be possible without an accompanying shift in media framing and public discourse. The role of the media in shaping, enabling, or resisting government overreach is pivotal. In the early years of the drone program, for instance, mainstream outlets often echoed official language—referring to “militants” killed in strikes without verifying identities, framing operations as “surgical,” and downplaying civilian casualties. This repetition of official narratives served to manufacture consent, muting moral and legal concerns under the banner of effectiveness and necessity.

Similarly, when domestic counterterrorism programs expanded, media coverage often adopted a deferential tone—highlighting potential threats disrupted while downplaying the scope of surveillance or the rights infringed. Terms like “lone wolf,” “radicalized individual,” or “homegrown threat” served to re-import the language of war into the civic domain, subtly preparing the public to accept extraordinary measures against fellow citizens.

The cumulative effect is a population conditioned to view state violence as protective rather than coercive, and legal shortcuts as pragmatic rather than perilous. The press, when it fails to interrogate or contextualize state actions, becomes not a watchdog but a feedback loop—amplifying the logic of security exceptionalism and dulling public resistance. In such an environment, the most dangerous policies are not imposed by force; they are absorbed through narrative, justified by fear, and ratified by silence.

Together, these dynamics illustrate how foreign policy becomes domestic architecture. Precedents formed abroad do not stay there. They lay the groundwork for new norms, new

institutions, and new habits of thought. In the absence of strong resistance—legal, institutional, and cultural—the outer limits of state power become its center of gravity.

8. Counterarguments and Rebuttals

8.1 "It Won't Happen Here"—A Dangerous Assumption

One of the most common rebuttals to warnings about the inward migration of extrajudicial state power is the comforting belief that "it won't happen here." This assumption rests on a sense of American exceptionalism—that the nation's democratic traditions, constitutional checks and balances, and civic culture will prevent the kinds of abuses seen in authoritarian regimes or in the history of other empires. However, this view underestimates both the structural vulnerabilities of democratic institutions and the gradual, often invisible, process by which norms erode.

History offers many examples of stable democracies sliding into repression—not through sudden coups but through legal expansions of state authority during periods of crisis, justified by security needs. The very essence of the "boomerang" dynamic is that practices deemed acceptable abroad under exceptional circumstances slowly acclimate the public to their use at home. What begins as external experimentation can become internal policy, especially when framed as necessary for safety or public order.

Moreover, the belief that democratic mechanisms will self-correct ignores the reality that those mechanisms can be co-opted, undermined, or bypassed. Courts can defer, legislatures can acquiesce, and the public can be anesthetized by media narratives. "It won't happen here" is not a safeguard—it is a sedative, one that leaves society unprepared for the very changes it refuses to acknowledge.

8.2 Claims of Necessity Versus Legal Restraint

Another frequent counterargument is that extraordinary measures—extrajudicial killings, secret surveillance, indefinite detention—are necessary to prevent terrorism and protect national security. Proponents argue that in an era of diffuse, non-state threats and rapid technological change, traditional legal processes are too slow, too constrained, or too outdated to respond effectively. They frame these powers as tools of precision, wielded reluctantly but responsibly.

However, necessity is not a neutral claim—it is a justification that often arises from the very institutions seeking more power. The burden of proof for such claims is rarely borne by those making them. In practice, necessity becomes a rhetorical shield that discourages scrutiny and marginalizes dissent. Worse, it creates a logic of permanent emergency: if threats are constant and evolving, then exceptional powers must be permanent too.

Legal restraint, by contrast, is not the enemy of security but its moral and political foundation. Restraint compels transparency, invites review, and protects against the concentration of power. It also affirms the principle that rights are not conditional privileges but non-negotiable guarantees. A system that values necessity over legality is one that sacrifices the very legitimacy it claims to defend. Effective governance does not require abandoning due process—it requires integrating it, even when it is inconvenient.

8.3 Are These Outliers or Inevitable Outcomes?

A third objection contends that the most troubling cases—such as the killing of U.S. citizens without trial—are rare exceptions, not indicators of systemic transformation. This view suggests that such outcomes, while unfortunate, are anomalies resulting from unique operational circumstances or isolated policy failures. It implicitly reassures the public that no larger trend is at work.

But exceptions are often more revealing than rules. They expose the boundaries of institutional behavior—and the fact that those boundaries can be crossed. The killing of Anwar al-Awlaki, for example, was not a rogue event; it was the culmination of years of legal preparation, policy evolution, and executive precedent. That no public trial, judicial review, or congressional oversight was deemed necessary reflects a broader pattern of normalization, not a momentary lapse.

Moreover, the mechanisms that enabled this and similar outcomes—classified legal memos, secret kill lists, extraterritorial redefinitions of sovereignty—remain active and largely unchallenged. If the structures remain intact and the logic goes unopposed, then repetition is not only possible but likely. The question is not whether such acts are common now, but whether the architecture of government permits them to become common later—especially under less restrained or more authoritarian leadership.

To frame these acts as outliers is to ignore the systemic shifts that made them thinkable, legal, and executable. In the long view of history, early exceptions often signal later rules. The challenge is to recognize the moment of departure before the path becomes irreversible.

9. Recommendations for Guardrails and Reforms

9.1 Reasserting the Role of Congress and the Courts

The drift toward extrajudicial state violence has been enabled in large part by the erosion of congressional authority and judicial oversight. Reasserting the constitutional balance of powers is essential if democratic legitimacy is to be preserved. Congress must reclaim its exclusive authority to declare war, authorize the use of force, and regulate executive conduct in matters of life and death. This means revisiting and potentially repealing open-ended instruments like

the 2001 Authorization for Use of Military Force (AUMF), which has served as a blank check for executive lethal action across multiple administrations.

Concrete steps could include codifying limits on the use of force outside active war zones, requiring individualized judicial warrants for lethal targeting (especially when U.S. citizens are involved), and creating bipartisan select committees with access to classified targeting data for regular review. The judiciary, in turn, must resist the temptation to defer to "national security" claims that effectively remove contested decisions from public scrutiny. Courts should require standing, demand disclosure under appropriate safeguards, and challenge overbroad invocations of the state secrets privilege. Restoring a meaningful role for both Congress and the courts is not just a legal necessity—it is a political and moral imperative to restrain executive overreach.

9.2 Sunset Clauses, Transparency Requirements, and Redress

Legal and operational frameworks that enable targeted killing must be subjected to mandatory sunset clauses and periodic reauthorization. Executive powers acquired in emergencies often linger indefinitely, normalized through bureaucratic inertia and public apathy. Sunset clauses force political renewal of debate, compel reexamination of underlying threats, and restore a sense of democratic temporality to policies that otherwise operate in a permanent state of exception.

Transparency is equally vital. The public cannot judge the morality or legality of state conduct if the criteria for lethal force are classified, the victims unnamed, and the justifications buried in redacted memos. Legal opinions that underpin targeted killing policies—particularly those involving U.S. citizens—should be made public or subjected to independent review. At a minimum, anonymized post-strike assessments and casualty reports must be released to allow informed public oversight.

Finally, there must be mechanisms for redress. Victims of mistaken targeting or unlawful force deserve formal recognition, reparations, and channels for remedy. A democracy that kills in error but denies restitution institutionalizes impunity. Establishing independent review boards, victim compensation funds, and public acknowledgment processes would help restore a measure of accountability and dignity. Without redress, legal restraint becomes an illusion, and justice is replaced by administrative discretion.

9.3 Cultural Vigilance: Teaching the Costs of Normalized Violence

No reform effort can succeed without a parallel cultural awakening to the ethical and civic dangers of normalized state violence. Legal structures alone cannot contain authoritarian drift if the public remains indifferent, misinformed, or numbed by spectacle and fear. A culture of

vigilance must be cultivated—one that recognizes extrajudicial killing not as an abstract foreign tool, but as a moral hazard that erodes democratic principles from within.

This begins with education. Civic curricula must grapple with the real-world consequences of unchecked executive power and the historical record of security overreach. Journalists, academics, and cultural institutions have a duty to interrogate the moral narratives that sanitize targeted killing as "precision warfare" or "surgical strikes." They must tell the full story—not only of the intended targets, but of the misidentified, the bystanders, and the long-term political blowback.

It also requires breaking the myth of infallibility that surrounds state violence. The belief that lethal operations are carried out only against confirmed threats by incorruptible actors ignores both the fallibility of intelligence and the complexity of human error. Citizens must learn to question not just the outcomes, but the systems and incentives that produce them.

Ultimately, democracy is not self-preserving. It must be defended by people who understand its fragility—and who recognize that the first signs of decay often appear not in declarations of tyranny, but in the quiet normalization of what was once unthinkable. Cultural vigilance is the last line of defense when legal guardrails fail. It is not optional; it is existential.

10. Conclusion: The Center Cannot Hold

10.1 Summary of Theoretical and Empirical Threads

This paper has traced the trajectory of extrajudicial state violence from its foreign origins to its creeping domestic application. Drawing on theoretical insights from Aimé Césaire and Hannah Arendt, we explored how imperial mechanisms of control—developed under the rationale of external necessity—inevitably shape the character of domestic institutions. Historical examples such as Operation Phoenix, along with modern drone warfare and targeted assassination programs, demonstrate that what begins as exceptional conduct abroad often returns home as institutionalized practice.

We reviewed the legal architecture that has enabled this transformation: executive reinterpretations of "imminence," "enemy combatants," and "associated forces," combined with the systematic sidelining of Congress and the courts. The killing of U.S. citizen Anwar al-Awlaki without trial marked a turning point, but not an anomaly. It exemplifies a broader framework in which secrecy, preemptive logic, and unchecked authority displace due process. Through militarized policing, algorithmic threat scoring, and public conditioning via media framing, this framework has not only persisted but expanded—threatening the foundations of democratic restraint.

10.2 Why Citizenship Is Not a Lasting Shield

One of the most dangerous illusions in a liberal democracy is that citizenship provides permanent protection against the overreach of state power. While the Constitution enshrines rights for all persons, citizenship has historically served as a symbolic barrier—suggesting that the state's most extreme powers would only be wielded against non-citizens or enemies abroad. But the logic of extrajudicial killing, once justified and routinized abroad, does not respect this boundary.

As the case of al-Awlaki demonstrated, citizenship can be rendered void by executive designation. When legal categories such as "combatant" or "threat" become matters of internal discretion rather than judicial determination, citizenship becomes contingent—granted or revoked not by law, but by circumstance. The same surveillance tools, the same preemptive doctrines, the same justifications for violence that are used abroad can—and increasingly are—deployed domestically. The erosion of this boundary is not a hypothetical risk. It is a documented, accelerating reality.

10.3 A Call to Uphold Law Before Power Unravels It

The primary lesson of this inquiry is clear: democratic law must be upheld before the momentum of unchecked power renders its restoration impossible. Once executive authority becomes self-legitimating—once the power to kill is held in secret and exercised without accountability—there is no easy way to claw it back. Legal inertia, bureaucratic expansion, and public indifference will conspire to normalize the exceptional.

The remedy is not idealistic but urgent. Legislators must reclaim their constitutional roles. Courts must demand review, even when faced with classified evidence. Journalists must expose, not echo, the language of official necessity. Educators and citizens must resist narratives that conflate criticism with disloyalty, or dissent with danger. These are not peripheral concerns for civil libertarians—they are the structural conditions for democracy itself.

The center cannot hold if its principles are hollowed from the edges inward. The rule of law is not self-sustaining. It is a discipline—a restraint that must be defended even when power offers more expedient paths. If extrajudicial violence continues to be normalized under the guise of protection, then the real danger is not that foreign policy has come home, but that home has become indistinguishable from the foreign zones it once deemed lawless. This is the final warning: either the law restrains power, or power will unravel the law.

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